

Message

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**From:** Hurl, Kathy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2F3B04131F1145FCB4CCF5B0A64C1AC4-KHURLD]  
**Sent:** 5/21/2018 1:44:32 PM  
**To:** Mancusi-Ungaro, Philip [Mancusi-Ungaro.Philip@epa.gov]; McGill, Thomas [McGill.Thomas@epa.gov]; Kupchan, Simma [Kupchan.Simma@epa.gov]; Hicks, Matt [Hicks.Matthew@epa.gov]  
**CC:** Calli, Rosemary [Calli.Rosemary@epa.gov]; Ghosh, Mita [Ghosh.Mita@epa.gov]  
**Subject:** Re: Three outstanding issues, at least for now

Sounds like a great idea to have one or two POCs on technical issues. Thanks for volunteering

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**From:** Mancusi-Ungaro, Philip  
**Sent:** Monday, May 21, 2018 9:42 AM  
**To:** McGill, Thomas; Hurl, Kathy; Kupchan, Simma; Hicks, Matt  
**Cc:** Calli, Rosemary; Ghosh, Mita; Mancusi-Ungaro, Philip  
**Subject:** RE: Three outstanding issues, at least for now

Rosemary and I spoke, and then Matt and I spoke, and we all believe that we are going to start seeing a lot of questions like this pop up, especially as folks start really reading the draft regs and they have the workshops. Matt and I thought we need to figure out a way to manage the requests, so that we all can keep track of what is being asked. My thought is that Rosemary and I could serve as the primary POC's and we would then share with the group.

Any thoughts?

Also, Rosmary, Matt and I all agree we need to look at the draft ESA/MOA language quickly to be prepared to discuss it, All of us glanced at it, but did not dive too deep.

Thanks

Phil

**From:** McGill, Thomas  
**Sent:** Monday, May 21, 2018 8:47 AM  
**To:** Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov>; Hurl, Kathy <Hurl.Kathy@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>  
**Cc:** Calli, Rosemary <Calli.Rosemary@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>  
**Subject:** RE: Three outstanding issues, at least for now

Thanks Phil, I agree those are the high-priority issues to work through. I haven't yet heard back from Jeanneane but believe she is in the office today.

**From:** Mancusi-Ungaro, Philip  
**Sent:** Monday, May 21, 2018 7:44 AM  
**To:** Hurl, Kathy <Hurl.Kathy@epa.gov<mailto:Hurl.Kathy@epa.gov>>; McGill, Thomas <McGill.Thomas@epa.gov<mailto:McGill.Thomas@epa.gov>>; Kupchan, Simma <Kupchan.Simma@epa.gov<mailto:Kupchan.Simma@epa.gov>>; Hicks, Matt <Hicks.Matthew@epa.gov<mailto:Hicks.Matthew@epa.gov>>  
**Cc:** Calli, Rosemary <Calli.Rosemary@epa.gov<mailto:Calli.Rosemary@epa.gov>>; Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov<mailto:Mancusi-Ungaro.Philip@epa.gov>>; Ghosh, Mita <Ghosh.Mita@epa.gov<mailto:Ghosh.Mita@epa.gov>>  
**Subject:** Three outstanding issues, at least for now

There are three issues we need to work through, and there appears to be some different views on two of them. We should include these on the agenda for tomorrow's 11:00.

On the ESA discussion, Tom when you hear back from Jeaninne, let us know. One thing to keep in mind, is that if we share that ESA MOA language with the state, I would NOT share the cover memo. That is for internal use.

**Ex. 5 AC/DP**

# Ex. 5 AC/DP

Not looking for responses to this, just want to set the stage for the discussion.

Phil

Philip G. Mancusi-Ungaro  
Attorney-Adviser  
Office of Water Legal Support  
USEPA Region 4  
61 Forsyth St, SW  
Atlanta, GA 30303  
Tel: 404-562-9519  
Cel: Ex. 6 Personal Privacy (PP)

This email is from an attorney and may contain privileged information and attorney-client communications and should not be released under FOIA or discovery to individuals or entities outside of EPA or the U.S. Department of Justice without the knowledge of the sender.

From: Hurl, Kathy  
Sent: Friday, May 18, 2018 2:43 PM  
To: Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>  
Cc: Calli, Rosemary <Calli.Rosemary@epa.gov>  
Subject: RE: public notice

Might be easier via phone, but, the Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

From: Mancusi-Ungaro, Philip  
Sent: Friday, May 18, 2018 12:27 PM  
To: Hurl, Kathy <Hurl.Kathy@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>

Cc: Calli, Rosemary <Calli.Rosemary@epa.gov<mailto:Calli.Rosemary@epa.gov>>; Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov<mailto:Mancusi-Ungaro.Philip@epa.gov>>  
Subject: RE: public notice

## Ex. 5 Deliberative Process (DP)

phil

From: Hurlid, Kathy  
Sent: Friday, May 18, 2018 11:53 AM  
To: McGill, Thomas <McGill.Thomas@epa.gov<mailto:McGill.Thomas@epa.gov>>; Kupchan, Simma <Kupchan.Simma@epa.gov<mailto:Kupchan.Simma@epa.gov>>; Hicks, Matt <Hicks.Matthew@epa.gov<mailto:Hicks.Matthew@epa.gov>>  
Cc: Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov<mailto:Mancusi-Ungaro.Philip@epa.gov>>; Calli, Rosemary <Calli.Rosemary@epa.gov<mailto:Calli.Rosemary@epa.gov>>  
Subject: RE: public notice

I agree with Simma that **Ex. 5 Deliberative Process (DP)** A few points:

## Ex. 5 Deliberative Process (DP)

- Kathy  
From: McGill, Thomas  
Sent: Friday, May 18, 2018 5:14 AM  
To: Kupchan, Simma <Kupchan.Simma@epa.gov<mailto:Kupchan.Simma@epa.gov>>; Hicks, Matt <Hicks.Matthew@epa.gov<mailto:Hicks.Matthew@epa.gov>>; Hurlid, Kathy <Hurlid.Kathy@epa.gov<mailto:Hurlid.Kathy@epa.gov>>  
Cc: Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov<mailto:Mancusi-Ungaro.Philip@epa.gov>>; Calli, Rosemary <Calli.Rosemary@epa.gov<mailto:Calli.Rosemary@epa.gov>>  
Subject: Re: public notice

I'm ok with FDEP's proposal.

Matt/Kathy- Any concerns?  
Sent from my iPhone

On May 17, 2018, at 11:12 PM, Kupchan, Simma <Kupchan.Simma@epa.gov<mailto:Kupchan.Simma@epa.gov>> wrote:  
Defer to you all on this, then.

Simma Kupchan  
EPA Office of General Counsel  
Water Law Office  
202-564-3105  
WJC North #7426Q

From: Mancusi-Ungaro, Philip  
Sent: Thursday, May 17, 2018 11:11 PM  
To: Kupchan, Simma <Kupchan.Simma@epa.gov<mailto:Kupchan.Simma@epa.gov>>  
Cc: Calli, Rosemary <Calli.Rosemary@epa.gov<mailto:Calli.Rosemary@epa.gov>>; McGill, Thomas <McGill.Thomas@epa.gov<mailto:McGill.Thomas@epa.gov>>; Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov<mailto:Mancusi-Ungaro.Philip@epa.gov>>  
Subject: Re: public notice

## Ex. 5 Deliberative Process (DP)

Phil  
Sent from my iPhone

On May 17, 2018, at 10:22 PM, Kupchan, Simma <Kupchan.Simma@epa.gov<mailto:Kupchan.Simma@epa.gov>> wrote:  
Thanks to Rosemary for raising this question. I agree with what I think was Rosemary's inclination that

## Ex. 5 Deliberative Process (DP)

Simma Kupchan  
EPA Office of General Counsel  
Water Law Office  
202-564-3105  
WJC North #7426Q

From: Calli, Rosemary  
Sent: Thursday, May 17, 2018 5:09 PM  
To: Kupchan, Simma <Kupchan.Simma@epa.gov<mailto:Kupchan.Simma@epa.gov>>  
Subject: public notice

## Ex. 5 Deliberative Process (DP)